

IN THE UNITED STATES DISTRICT COURT  
FOR THE NORTHERN DISTRICT OF ILLINOIS  
EASTERN DIVISION

THE QUAY CORPORATION, INC.,	)	
	)	
Plaintiff,	)	
	)	
v.	)	Case No. 1:08-cv-01064
	)	
LOS GALANES SUPERMARKET, INC., et al	)	Honorable John W. Darrah
	)	
Defendant.	)	

**MOTION FOR ENTRY OF DEFAULT JUDGMENT**

THE QUAY CORPORATION, INC., Plaintiff herein ("Plaintiff"), by its Attorneys, as and for its Motion for Entry of Default Judgment against LOS GALANES SUPERMARKET, INC., Defendant herein, states as follows:

1. On June 22, 2007 the Plaintiff filed its Complaint in the United States Bankruptcy Court for the Northern District of Illinois against the Defendant, in Case Number 07 A 577 (the "Bankruptcy Adversary"), seeking to recover \$16,621.49 from the Defendant.
2. The Defendant failed to file any responsive pleading to the Complaint.
3. On November 13, 2007, Judge Schmetterer entered a Default Order against the Defendant in the Bankruptcy Adversary for failure to file an answer to the Complaint. See copy of Default Order attached hereto as **Exhibit A**.
4. Pursuant to the Default Order, Judge Schmetterer held that all allegations of the Complaint are taken as confessed against the Defendant.
5. On February 5, 2008, Judge Schmetterer entered Amended Recommended

Finding of Facts and Conclusions of Law in the Bankruptcy Adversary. A copy of the Amended Recommended Finding of Facts and Conclusions of Law is attached hereto as **Exhibit B**.

6. Pursuant to the Amended Recommended Findings of Facts and Conclusions of Law, Judge Schmetterer held that the the Plaintiff was entitled to a judgment against the Defendant in the amount of \$16,621.49.

7. Due to the Bankruptcy Adversary being a non-core matter in the bankruptcy case of the Plaintiff, the case was transferred to the district court for entry of the judgment against the Defendant based on the Amended Recommended Findings of Facts and Conclusions of Law.

8. As of the filing of this Motion, no responsive pleading to the Complaint has been filed by the Defendant in the Bankruptcy Adversary or in this case.

9. By this Motion, the Plaintiff requests a judgment be entered in favor of the Plaintiff and against the Defendant in the amount of \$16,621.49.

WHEREFORE, THE QUAY CORPORATION, INC., Plaintiff herein, prays for the entry of an Order as follows:

- A. Entering a default judgment against the Defendant, LOS GALANES SUPERMARKET, INC., in the amount of \$16,621.49, plus interest from the entry of the Judgment through the date of collection; and
- B. Granting such other and further relief as this Court deems just and equitable.

Respectfully submitted,  
THE QUAY CORPORATION, INC.  
Plaintiff

BY: /s/Jeffrey C. Dan  
One of Its Attorneys

**PLAINTIFF'S COUNSEL:**

DAVID K. WELCH, ESQ. (Atty. No. 06183621)  
ARTHUR G. SIMON, ESQ. (Atty. No. 03124481)  
JEFFREY C. DAN, ESQ. (Atty. No. 06242750)  
CRANE, HEYMAN, SIMON, WELCH & CLAR  
135 S. LaSalle St., Suite 3705  
Chicago, IL 60603  
(312) 641-6777